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TA  
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HB/  
Resolving  
Dispute

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Pierre CHAMBAT et al.

Group Art Unit: 3738

Serial No : 09/832,874

Examiner: Bruce Snow

Filed : April 12, 2001

For : KNEE PROSTHESIS WITH A ROTATIONAL PLATE

**TERMINAL DISCLAIMER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Your petitioner, Tornier SA, a corporation of the country of France, whose business address is BP 11 38330 Saint Ismier, France, represents that it is the owner of record of the entire right, title and interest by virtue of an assignment recorded in the U.S. Patent and Trademark Office in parent application 09/158,791, now patent no. U.S. 6,299,646 B1, on December 23, 1998 at Reel 9658, Frame 0768.

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best knowledge and belief of the undersigned, title is in the assignee.

Your petitioner, Tornier SA, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. U.S. 6,299,646 B1, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. U.S. 6,299,646 B1, this

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P20904.A10

agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of Patent No. U.S. 6,299,646 B1 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

December 3, 2002

Date

Alain TORNIER

Printed Name:

Title:

Signature

Address